

REMARKS

Entry of the foregoing amendments, and reexamination and reconsideration of the subject application, pursuant to and consistent with 37 C.F.R. § 1.104 and § 1.112, and in light of the following remarks, are respectfully requested.

Amendments

Certain typographical errors have been corrected, and claims 18 and 19 have been amended to more properly depend from claim 1. Claims 1 and 20 have been amended to more particularly recite the invention as reducing the occurrence of acne scarring in acne-affected skin as opposed to a treatment that alleviates existing scars. No new matter is added.

Restriction/Election of Species

Applicants hereby elect, with traverse, to prosecute the claims of Group I, claims 1-9, 18-19, and 21, and hereby elect as species for examination the combination of an NF- κ B inhibitor and an anti-inflammatory. Claims 1-4 and 9 read specifically on the elected species.

The inventions of Groups I (with the election of NF- κ B inhibitors) and V both require the presence of an NF- κ B inhibitor. The basis in the Office action for differentiating these Groups is that acne treatment could be achieved with a materially different compound. However, both of these Groups of claims require the presence of an NF- κ B inhibitor, so the existence of an additional active ingredient does not address the common ingredient. While the therapeutic agent for acne treatment could be materially different from that used for reducing the occurrence of scarring, based on the present amendment and election of

25 species, it is believed that these two groups of claims should be examined together because of the common presence of an NF- κ B inhibitor.

In light of the foregoing, reconsideration of the requirement for Restriction, and examination of both the Group I and Group V claims is requested.